

IN THE SPECIFICATION

Please substitute the following paragraph for the paragraph beginning on page 16, line 1 of the specification:

In yet another embodiment of the present invention, a "dynamic adjustment embodiment," the size or depth of jitter buffer 324 in each of MS 103 and 104 may be dynamically adjusted based on a percentage of all existing traffic, or bearer, channels available at the MS's respective servicing base site 122, 126 that are engaged in active communications, or further engaged in active communications and using retransmissions. FIG. 6 is a logic flow diagram 600 of the steps executed by system 100, preferably infrastructure 130, in adjusting a size or depth of jitter buffer 324 in accordance with the dynamic adjustment embodiment of the present invention. In the dynamic adjustment embodiment, a depth, or size, of jitter buffer 324 may be predetermined or may be determined as described above at the initiation of a dispatch call.

IN THE CLAIMS

Please substitute the following **claims 7, 9, and 14** for the pending claims 7, 9, and 14:

7. (Once Amended) The method of claim 5, further comprising a step of determining to reduce a use of retransmissions of erroneously received frames when the determined radio frequency (RF) load metric is less than the RF load threshold.

9. (Once Amended) The method of claim 8, wherein the receiving communication device comprises a jitter buffer in communication with a play-out buffer, and wherein the method further comprises steps of:

receiving, by the receiving communication device, a first set of data transmitted by the transmitting communication device;

storing, by the receiving communication device, the first set of data in the jitter buffer;

determining a quantity of data stored in the play-out buffer; and